

REMARKS

Applicants respectfully request reconsideration and allowance of subject application. Claims 1-32 were pending at the time of the Office Action. Claims 1, 2, 4-7, 9-13, 16, 20, 22-24, 27, and 31 are amended. Claims 33-39 are added. Accordingly, claims 1-39 are pending.

In the Office Action dated September 6, 2006 claims 1-10 were rejected under 35 U.S.C. § 112, second paragraph; claims 22-32 were rejected under 35 U.S.C. § 101; claims 11-16, 20-27, 31, and 32 were rejected under 35 U.S.C. § 102 (b); and claims 1, 5, 9, 10, 17-19, and 28-30 were rejected under 35 U.S.C. § 103(a).

35 U.S.C. § 112, Second Paragraph

Claims 1-10 were rejected under 35 U.S.C. § 112, second paragraph as being indefinite for the reasons set forth in the Office Action. Claims 1, 2, and 10 have been amended so that claims 1-10 particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Therefore, Applicant requests reconsideration and withdrawal of the rejection of claims 1-10 under 35 U.S.C. § 112, second paragraph.

35 U.S.C. § 101

Claims 22-32 were rejected under 35 U.S.C. § 101 because the Office Action asserted that claims 22-32 were directed to non-statutory subject matter. Specifically, the Office Action stated that “a carrier wave received from a network” was not tangible and could not be classified as a process, machine, article of manufacture, or composition of matter. The “a carrier wave received from a network” can be measured and stored. The “a carrier wave received from a network” also causes a consistent response in the receiving device (i.e. identical carrier waves received under identical conditions will cause identical results). Additionally, “a carrier wave received from a network” is created or manufactured by some element or device on the network.

60483

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Accordingly, Applicant asserts that “a carrier wave received from a network” is a tangible article of manufacture. However, in the interest of furthering prosecution, the specification has been amended to delete “a carrier wave received from a network” from the definition of computer-readable medium. Accordingly, Applicant requests reconsideration and withdrawal of the rejection of claims 22-32 under 35 U.S.C. § 101.

35 U.S.C. §§ 102(b) and 103(a)

Claims 11-16, 20-27, 31, and 32 were rejected under 35 U.S.C. § 102 (b) as being anticipated by Kim (U.S. Patent No. 6,064,554). Applicant requests reconsideration of this rejection.

Claims 1, 5, 9, 10, 17-19, and 28-30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Chen (U.S. Patent Application Publication No. 2004/0229478 A1) in view of Kim. Applicant requests reconsideration of this rejection.

Independent claim 1, as amended, recites in part:

a bus interface circuit for operatively connecting a network interface card to a data bus;

Independent claims 11 and 22, as amended, each recite in part:

sensing a current level in a bus interface circuit operatively connecting a node on the network to the data bus;

In contrast Kim discloses at column 4, lines 30-41:

If overcurrent flows to the USB hub unit 30 or peripheral device 40 connected to the **power output port 130 under this condition, then it is detected by the overcurrent detector 140.** As a result, the overcurrent detector 140 outputs an overcurrent detection signal to the USB hub controller 100. In response to the overcurrent detection signal from the overcurrent detector 140, the USB hub controller 100 determines that overcurrent flows to the USB hub unit 30 or peripheral device 40 **connected to the power output port 130.** As a result, the USB hub controller 100 outputs a

60483

CUSTOMER NUMBER

power interruption signal to the power switch 120 to **interrupt the supply of power to the power output port 130.**

Emphasis added.

The USB specification requires a four conductor bus, where two conductors carry power (power bus) and two conductors carry data (data bus). Since Kim fails to disclose and the Office Action failed to identify a bus interface circuit connected to a data bus, it appears that the overcurrent detector detects the current in the power bus. Thus, Kim fails to teach and/or suggest “sensing a current level in a bus interface circuit operatively connecting a node on the network to the data bus” as recited in independent claims 11 and 22. Therefore, Kim fails to anticipate independent claims 11 or 22, or the claims that depend thereon.

Chen is neither cited for nor does Chen correct the deficiency discussed above in Kim. Accordingly, the combination of Chen and Kim fails to teach and/or suggest “a bus interface circuit for operatively connecting a network interface card to a data bus” as recited in claim 1.

Accordingly, Applicant requests reconsideration and withdrawal of the rejection of claims 11-16, 20-27, 31, and 32 under 35 U.S.C. § 102(b) and the rejection of claims 1, 5, 9, 10, 17-19, and 28-30 under 35 U.S.C. § 103(a).

New Claims

New claims 33-39 have been added. Independent claim 33 corresponds to original claim 2 rewritten in independent form with the rejections under 35 U.S.C. § 112 addressed. Claims 34-28 correspond to original claims 3-7. Independent claim 39 corresponds to original claim 8 rewritten in independent form. Since original claims 2 and 8 were not rejected under 35 U.S.C. §§ 102 or 103 and the rejections of claims 1 and 2 under 25 U.S.C. § 112 have been addressed, new independent claims 33 and 39 are in condition for allowance. Similarly claims 34-38 which depend either directly or indirectly from new claim 33 are also in condition for allowance. Therefore, Applicant requests consideration and allowance of new claims 33-39.

60483

CUSTOMER NUMBER

CONCLUSION

Applicants respectfully submit pending claims 1-39 are now in condition for allowance. If there are any remaining matters that may be handled by telephone conference, the Examiner is kindly invited to contact the undersigned attorney at the telephone number listed below.

Respectfully Submitted,

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60483

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